

M/D 1

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA

RECEIVED

Elijah Coleman  
Full name and prison name of  
Plaintiff(s)

2008 FEB 15 A 9:41

v.

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA  
ACTION NO. 2:08CV109-F  
(To be supplied by Clerk of U.S. District  
Court)

ALA. DEPT. OF CORRECTIONS  
WARDEN JONES  
W.F. DONALDSON CORR. FAX.  
LT. JONES, P.O. R. KIDWORTH  
SAF. GORDON, T. KEYS,  
ALW. HETZEL  
Name of person(s) who violated your  
constitutional rights. (List the names  
of all the person.)

## I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES ☐ No ☒
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES ☒ NO ☐
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.) Writ of Habeas,

## 1. Parties to this previous lawsuit:

Plaintiff(s) Elijah Coleman

Defendant(s) Kilby's Warden Hotts, Atty. General, State of Alabama

## 2. Court (if federal court, name the district; if state court, name the county)

U.S. District Court for the Middle District of Alabama

## 2. Lawsuits (2)

1. Parties to previous lawsuit:

Plaintiff, Elijah Edmond

Defendants, State of Alabama, City, County, State  
Legal Officials, Employees, Appointed  
Attorney,

2. Court: United States District Court for the  
Middle District of Alabama

3. Docket NO. 2:07-LV-535-ID

4. Name of Judge Case was assigned: U.S. Magistrate  
SUSAN R. Walker

5. Disposition: ~~Pending~~ dismissed as untimely and  
filed too early before resolution.

6. Approximate date of lawsuit filing: July, 07

7. Approximate date of disposition: ~~Pending~~ Nov. 07

3. Docket number 2:07-LV-534-MHT
4. Name of judge to whom case was assigned U.S. Judge -  
frank WALLACE LOPEL, JR.
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) dismissed  
w/ prejudice for lack of exhaustion / may appeal
6. Approximate date of filing lawsuit July 2007
7. Approximate date of disposition Sept. 2007

II. PLACE OF PRESENT CONFINEMENT WE. Donaldson Correctional  
Center, 100 Warrior Lane, Bessemer, Alabama 35023

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED Same as II.

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
1. <u>WARDEN Kenneth L. Jones -</u> <u>Commissioner</u>	<u>BESSEMER, AL, 35023</u> <u>WEDLE, 100 Warrior Lane</u>
2. <u>State of AL / Dept. of Corr. -</u>	
3. <u>Lt. Jones</u>	" "
4. <u>OFFICER B. Knowlton</u>	" "
5. <u>Lt. Gordy</u>	" "
6. <u>OFF. T. KEYS</u>	" "
7. <u>(A.W.) HATZEL (ASST WARDEN)</u>	" "

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED Aug. 19, 2007

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Prison Poorly / unjustly managed by unworking / lazy  
staff, creating danger for all inmates / society / staff.  
THE REAL SAFETY, SECURITY HAZARDS.

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.) RULE #62, REGULATION # H03

STAFF'S ACTIONS REFLECTED IN AUG-19, D7 INCIDENT REPORT (FILE # 07-1057) BY OFFICER BRANDON KNOWLTON, AGAINST PETITIONER, INSTIGATED BY A PARANOID INMATE, WHO MANIPULATED A GROUP ATTACK ON PETITIONER (AIDED BY STAFF WHO OPENED LOCKED-<sup>3A</sup> (CONT.))

GROUND TWO: STAFF ENCOURAGED SET-UP SITUATIONS FOR VIOLENCE AMONG PRISONERS, IGNORES CORRECTION POLICIES, DUE PROCESS, INMATE RIGHTS

SUPPORTING FACTS: STAFF VIOLATED DUE PROCESS RIGHTS BY dictating their cage policies, negating my requests and the policies of a fair due process. No witnesses called (DENIED BY HEARING OFFICER KEYS) FOR PETITIONER, AS REQUESTED, (2) KEY WITNESSES WHO KNEW I WAS IN MY ASSIGNED CELL (A 23) WITH THE DOOR <sup>3B</sup> (CONT.)

GROUND THREE:

SUPPORTING FACTS:

## Supporting Facts Cont..

Lds. (1) Cont... Cell of petitioner for non-assigned  
attackers) and ignored attack in dark cell. Incident  
was false on its face (ignored by the lack of  
investigation). Inmate Smith who quoted report  
to staff (sitting himself as sole attacker) to protect his  
co-attackers, reported to witnesses that he saw  
nothing, but was following words from "original instig-  
ator" (who was not sought) So the report is based on  
hearsay speculations. Smith was not in the shower.  
(as reported) He could not see room A-9 from the  
showers in A unit. Staff misinterpreted a statement  
petitioner made as admitting to incident. Hearing officer  
took word of staff in guilty verdict and seg. punishment.  
Staff was too lazy, unwilling to do their public paid  
jobs and truly provide safety, follow policies, protect  
rights/lives by investigating reports in intelligent, unbiased  
ways. There was no masturbating towards shower  
with door open. Inmate Smith attacks and lies to  
gain gang incentives. After release from gang  
attack on petitioner, he and others were re-segregated  
for attacking someone else. Staff believed Smith  
over me, ignored me and allowed another attack  
that included Smith. Staff has ignored other attackers?  
Ignored truth/fairness, why? Staff that opened cell  
door for attackers (NAME UNKNOWN)

Lds (2) Cont... looked when ATTACKERS arrived, WERE NOT CALLED, SOUGHT OR QUESTIONED. STAFF didn't want to or didn't HAVE THE INTELLIGENCE TO SEE THROUGH THE COMMON INMATE SMOKE SCREENS OF DECEPTION.

Lt. JONES CALLED THE NAMES, PLACED ME IN SEGREGATION SO THAT ATTACKER AND I WOULD BE OUT FOR SHOWERS TO ATTACK EACH OTHER again but ATTACKER COULDN'T GET ANY SUPPORT FOR ANOTHER ATTACK. Lt. JONES CAME TO PETITIONER'S SEG. (SEGREGATION) CELL AND TOLD CELLMATE THAT INMATE SMITH HAD BUSTED MY HEAD. Lt. SMITH TAKES EVERY OPPORTUNITY TO INSTIGATE, TELL OTHERS ABOUT THE FALSE REPORT AND STATING "I WAS LUCKY I DIDN'T GET KILLED," SO HE KNOWS THE SERIOUSNESS OF THE ISSUE. SO HIS ACTS ARE INTENTIONALLY DESIGNED TO SPARK VIOLENCE AMONG INMATES.

Lt. LONELY TOLD ATTACKER THAT "HE WAS DOING STAFF'S JOB" BY ATTACKING ME. (ALTHOUGH STAFF IN "2 BLOCK" MADE NO REPORTS OF SEEING ME DO NONE OF THE ACTS LISTED IN INCIDENT REPORT BY KNOWLTON, WHO WAS NOT IN THE UNIT.) OTHER STAFFERS APPROVED THE REPORT, COMPLETELY IGNORING ITS CONTRADICTIONS AND THE FACT IT COULD NOT HAVE HAPPENED AS SPECULATED AND SHOULD HAVE BEEN DISMISSED. STAFF ACTS SO UNPROFESSIONAL, UNETHICAL IN THEIR DUTIES, FULL OF RAGE, RAGE AT THE THOUGHT OF FOLLOWING POLICY. REQUESTS, LETTERS TO WARDEN IGNORED.



LEGAL MATERIAL DELAYED BECAUSE OF THE LAZY NOTARY SERVICE, FOR THOSE IN SEGREGATION UNITS (ESPECIALLY "W") NO LEGAL LIBRARY SERVICES ARE PROVIDED, NO LEGAL SUPPLIES. THE (2) <sup>PER WEEK</sup> STAMPS (HI KENT STAMPS) FOR LEGAL MATERIAL MAIL IS RARELY PICKED UP IN "W"-SEG. UNITS. ALSO BULKY LEGAL PETITIONS, COPIES, ETC. LEGALLY REQUIRED, IS ALSO DELAYED (FOR THOSE WHO CANNOT AFFORD STAMPS) BECAUSE IT HAS TO BE MAILED IN PARTS, SPREAD OUT OVER WEEKS, TO COMPLY WITH THE POSTAGE LIMIT.

I WAS PLACED IN SEG. WITH INMATE STAFF KNEW WAS A STUDIED/MEDICALLY TREATED MENTAL PSYCHOTIC. ONE OF US COULD HAVE SERIOUSLY HARMED THE OTHER. INMATE ALSO HOMEBODY OF ATTACKERS. STAFF'S DANGEROUS TO ALSO THEMSELVES AND SOCIETY BECAUSE THINKING NEVER SEEMS A PRIORITY, WITH RESULTING CONSTANT FIGHTS/VIOLENCE BETWEEN STAFF AND INMATES, IN A SYSTEM SO VOID OF PROPER LEADING LEADERSHIP THAT SERIOUS MENTAL HABITS ARE CULTURED AND CARRIED BACK INTO SOCIETY, INCLUDING AIDS, AS HOMOSEXUALITY IS SEEMINGLY OPENLY ENCOURAGED, IN A SYSTEM REPORTEDLY INFESTED WITH AIDS, OTHER SPREADABLE ILLNESSES.

THE INCIDENT LITED IN THIS COMPLAINT NEVER HAPPENED, BUT TAKEN AS GOSPEL BY STAFF, EVEN AFTER I GAVE THE HEARING OFFICER KEYS A WRITTEN STATEMENT EXPLAINING THE DECEPTION IN REPORT. THEY IGNORE POLICIES/FAIRNESS TO SUPPORT EACH OTHERS DECEPTIONS. I WAS PLACED IN SEG. AND REMAINED UNTIL FUTURE "CORRECTIONS" ARE MADE TO PREVENT REPEATED RIGHTS VIOLATIONS.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

Clear Incident Report from Record w/ written Apology for D.O.B.  
Place inmate attacked on enemy list, \$100,000 per month  
from Aug. 19, 07 to date all staff members involved are  
terminated as employees of the Alabama Dept. of Corrections.  
that policies followed, rights respected or lazy disrespecting  
staffs terminated. Plus Atty. Gen., Court, Gov., etc. fear.

Elijah Coleman  
Signature of plaintiff(s)

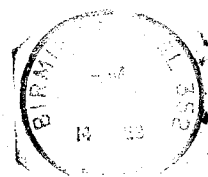
I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on Sept. 15, 2007  
(Date)

Elijah Coleman  
Signature of plaintiff(s)



Elijah COLEMAN  
250079 (W-29)  
Donaldson Lorr. FAX.  
100 Warrior Lane  
Bessemer, ALA. 35023



OFFICE OF THE CLERK  
UNITED STATES DISTRICT COURT  
P.O. Box 711  
Montgomery, ALA.

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